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10/075,694	02/14/2002	Kevin E. Booth	P1084/20005	8399

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EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2635

DATE MAILED: 04/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/075,694

**Applicant(s)**

BOOTH ET AL.

**Examiner**

Nam V Nguyen

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-47 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3 and 7</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The application of Booth et al. for an "electronically controlled locker system" filed February 14, 2002 has been examined.

Claims 1-47 are pending.

### ***Drawings***

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The drawings are objected to under 37 CFR 1.83(a) because they fail to label boxes (28 and 30 and 32) in Figures 1 and 14; and label boxes (61) in Figures 5A and 5B as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-8, 14-15, 19-34, 40 and 44-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. (US# 5,475,378) in view of Brous et al. (US# 5,345,379).

Referring to claims 1, 24 and 46, Kaarsoo et al. disclose an electronically-controlled locker system (10) (i.e. a mail box station for lockers) for use by a plurality of authorized users an managed by an administrator (22) (i.e. a central control unit) (column 1 lines 51 to column 2 line 21; see Figures 1-2), said system (10) comprising:

A first plurality of lockers (18) (i.e. mail box compartments) wherein each locker comprises a respective electronically-activated lock (i.e. an electrically operable locking mechanism) (column 2 lines 46 to 54; see Figure 1);

At least one input device (16) (i.e. a card reader) for allowing the plurality of authorized users to communicate with said system (10) (column 2 lines 39 to 45; column 3 lines 25 to 57);

At least one locker control unit (14) (i.e. a local control unit), in communication with each electronically-activated lock (i.e. an electrically operable locking mechanism) and with said at least one input device (16), said at least one locker control unit (14) controlling the activation of said electronically-activated locked (column 3 lines 1 to 12; column 4 line 57 to column 5 line 23; see Figure 1);

A computer (24), controlled by the administrator, for managing at least one database of authorized user and locker information (column 3 lines 44 to 67; column 4 lines 6 to 47; see Figure 2);

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However, Kaarsoo et al. did not explicitly disclose: a system control unit, in communication with said at least one locker control unit and with said computer, said system control unit providing said at least one locker control unit with said authorized user and locker information; and

Wherein said at least one locker control unit uses data from said at least one input device and said authorized user and locker information to provide access to corresponding lockers for the plurality of authorized users.

In the same field of endeavor of an electronic control access to a system, Brous et al. teach that: a system control unit (110) (i.e. a satellite office), in communication with said at least one locker control unit (120) (i.e. site control system) and with said computer (100) (i.e. a regional control center) (column 4 lines 53 to column 5 line 38; see Figure 3), said system control unit (110) providing said at least one locker control unit (120) with said authorized user and locker information (column 6 lines 24 to 36; column 8 lines 1 to 32); and

Wherein said at least one locker control unit (120) uses data from said at least one input device (170) (i.e. magnetic card reader) and said authorized user and locker information to provide access to corresponding relay (230) for the plurality of authorized users (column 8 line 1 to column 9 line 20; see Figures 1-4) in order to operate the appliances.

One of ordinary skilled in the art recognizes having a site control system uses data information from a satellite office and a magnetic card reader to operate the appliances of Brous et al. in a local control unit to control the mail box lockers with a card reader of Kaarsoo et al. because Kaarsoo et al. suggest it is desired to provide that a local control unit connect to central control unit having a computer work station to provides for the overall control and complete

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operation of the mail box locker compartment (column 3 lines 38 to 53) and Brous et al. teach that a site control system connect to a plurality of satellite office and a regional control center to download data information through the modem link about authorized users and user information in order to have a successful operation of relay in the subsystem unit. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a site control system uses data information from a satellite office and a magnetic card reader to operate the appliances of Brous et al. in a local control unit to control the mail box lockers with a card reader of Kaarsoo et al. with the motivation for doing so would have been to provide a convenient way and to increase security to operate an electronic access control mail box locker.

Referring to claims 2 and 25, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to control access to, and assignment of, said first plurality of lockers (18) (column 3 lines 58 to 67; see Figures 1 and 2).

Referring to claims 3 and 26, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 25, Brous et al. disclose wherein said system control unit (110) allows communication between at least two locker control units (120) (column 4 line 53 to column 5 line 4; see Figure 3).

Referring to claims 4 and 27-28, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1, 24 and 27, Kaarsoo et al. disclose wherein said at least one locker control unit (14)

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is coupled to each one of said electronically-activated locks (lock of mail box compartments 18) using two conductors to form a single circuit, said at least one locker control unit (14) controlling access to said corresponding locker door and detecting the open or closed state of said corresponding locker door using said single circuit (column 2 lines 46 to 54; see Figure 1).

Referring to claims 7 and 33, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said at least one input device (16) is a card reader (column 2 lines 39 to 44; see Figure 1).

Referring to claims 8, 29 and 34, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said at least one input device (16) is a keypad (column 5 line 61 to column 6 line 10; see Figure 1).

Referring to claims 14, 40 and 47, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1, 26 and 46, Brous et al. disclose wherein a second locker control unit (120) is in communication with each electronically-activated lock (230)(i.e. relays of appliance) of a second plurality of lockers (i.e. relays) and is in communication with second input device (120) and with said system control unit (110), said second locker control unit (120) communicating with said system control unit (110) in order to control access to a locker (230) in said first plurality of lockers (230) when a user having a locker in said first plurality of lockers communicates with said second input device (column 5 lines 39 to column 6 lines 7; see Figure 3).

Referring to claims 15 and 30, Kaarsoo et al. in view of Brous et al. disclose the system of claims 2 and 24, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to modify access privileges to a locker by time or date (column 5 lines 28 to 36).

Referring to claims 19 and 32, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to track locker usage (column 3 lines 58 to 67).

Referring to claims 20 and 45, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said computer (24) alerts the administrator to attempts at unauthorized access to any locker (18) (column 2 lines 55 to 67; column 4 lines 6 to 30).

Referring to claim 21, Kaarsoo et al. in view of Brous et al. disclose the system of claim 1, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to allow others to use said computer with limited access privileges (column 4 lines 6 to 26).

Referring to claims 22 and 44, Kaarsoo et al. in view of Brous et al. disclose the system of claims 18 and 24, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to track usage by others of said computer (column 3 lines 58 to column 4 lines 36).



Referring to claims 23 and 31, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, Kaarsoo et al. disclose wherein said computer (24) allows the administrator to designate virtual groupings of lockers in said system (column 3 lines 58 to column 4 lines 46).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. (US# 5,475,378) in view of Brous et al. (US# 5,345,379) as applied to claim 4 above, and in further view of Featherman (US# 3,831,408).

Referring to claim 5, Kaarsoo et al. in view of Brous et al. disclose the system of claim 1, however, Kaarsoo et al. in view of Brous et al. did not explicitly disclose wherein said single circuit comprises:

One of said two conductors being coupled between said at least one locker control unit and an actuator for driving said electronically-activated lock;

A switch, operated by the open or closed state of said corresponding locker door, having one pole coupled to said actuator and another pole coupled to said at least one locker control unit using said other one of said two conductors.

In the same field of endeavor of an electrical control locker, Featherman teaches that one of said two conductors (214) (i.e. an electrical line) being coupled between said at least one locker control unit (210) (i.e. central control unit) and an actuator (48) (i.e. an electrically actuated locking mean) for driving said electronically-activated lock (column 8 lines 23 to 50; see Figure 12);

A switch (104) (i.e. a control means), operated by the open or closed state of said corresponding locker door (14) (i.e. a locker), having one pole coupled to said actuator (48) and another pole coupled to said at least one locker control unit (210) using said other one of said two conductors (212) (column 8 lines 23 to 64; see Figure 12) in order to control an individual locker of a locker structure electrically at a remote location.

One of ordinary skilled in the art recognizes the need to use a central control which is electrically connected to a locker structure with actuated locking and lock control mean of Featherman in an electronic access control mail box locker with an electrically operable locking mechanism of Kaarsoo et al. because Kaarsoo et al. suggest it is desired to provide that a mail box locker having an electrically operable solenoid controlled latch to lock/unlocked position (column 2 lines 46 to 54) and Featherman teaches that a central control connects to an electrically actuated locking means with a line and also connects to a selected lock control with other line to control the door in the absence of energization over the line (column 8 lines 23 to 64) in order to increase the efficiency and effectiveness of managing such lockers. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a central control which is electrically connected to a locker structure with actuated locking and lock control mean of Featherman in an electronic access control mail box locker with an electrically operable locking mechanism of Kaarsoo et al. with the motivation for doing so would have been to provide a local control unit for a locker system a convenience, efficiency and effectiveness to manage an individually locker.

Claims 9-10 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. (US# 5,475,378) in view of Brous et al. (US# 5,345,379) as applied to claims 1 and 24 above, and in further view of Badillet (US# 6,347,486).

Referring to claims 9-10 and 35-36, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, however, Kaarsoo et al. in view of Brous et al. did not explicitly disclose wherein said at least one input device is a proximity reader or a biometric.

In the same field of endeavor of an electrical control the opening of a door, Badillet teaches that an input device (40) (i.e. a input module) is a proximity reader or a biometric (column 4 lines 10 to 21; column 5 lines 12 to 60; see Figure 1) in order to read or input information to operate opening of a door.

At the time the invention, it would have been obvious to a person of ordinary skill in the art to recognize to use a proximity or a biometric reader to input information to operate opening of a door of Badillet in the card reader to open/close an electronic access control mail box locker of Kaarsoo et al. in view of Brous et al. because using a proximity or biometric reader would improve accurate verification of an authorized user and convenient for users that has been shown to be desirable in an electronic access control mail box locker system of Kaarsoo et al. in view of Brous et al.

Claims 11-13 and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. (US# 5,475,378) in view of Brous et al. (US# 5,345,379) as applied to claims 1 and 25 above, and in further view of Chaco et al. (US# 5,689,229).

Referring to claims 11-13 and 37-39, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 25, however, Kaarsoo et al. in view of Brous et al. did not explicitly disclose wherein said system control unit and said at least one locker control unit are coupled together using an RS-485 daisy chain or modulated power lines or a wireless means.

In the same field of endeavor of control communication system, Chaco et al. teach that system control unit (2420) (i.e. a zone controller) and said at least one locker control unit (2418) (i.e. a staff locker room) are coupled together using an RS-485 daisy chain or modulated power lines or a wireless means (column 6 lines 64 to column 7 lines 6; column 9 lines 46 to 54; column 33 lines 49 to 67; see Figures 1-2 and 39-40) in order to facilitate communication between a zone controller and a staff locker room.

At the time the invention, it would have been obvious to a person of ordinary skill in the art to recognize to couple together using an RS-485 daisy chain or power lines or wireless means between a zone controller and staff locker room of Chaco et al. in a communication between a local control unit and a central control unit over a communication bus of Kaarsoo et al. in view of Brous et al. because using a RS-485 daisy chain or power lines or wireless means between a zone controller and staff locker room would improve efficiency and convenient for users that has been shown to be desirable in an electronic access control mail box locker system of Kaarsoo et al. in view of Brous et al.

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Claims 16-18 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaarsoo et al. (US# 5,475,378) in view of Brous et al. (US# 5,345,379) as applied to claims 1 and 24 above, and in further view of Goedde (US# 6,185,773).

Referring to claims 16-18 and 41-43, Kaarsoo et al. in view of Brous et al. disclose the system of claims 1 and 24, however, Kaarsoo et al. in view of Brous et al. did not explicitly disclose wherein said plurality of lockers are lockers in a fitness center or in a workplace.

In the same field of endeavor of mechanism for a locker system, Goedde teaches that plurality of lockers (10) are lockers in a school, fitness center or workplace (column 2 lines 5 to 16) in order to be useful in a public facility.

At the time the invention, it would have been obvious to a person of ordinary skill in the art to recognize to put lockers in a school, fitness center or workplace of Goedde in a mail box lockers in many areas distributed throughout a typical multi-floor office building of Kaarsoo et al. in view of Brous et al. because putting lockers in school, fitness center or workplace would improve efficiency and increase usefulness that has been shown to be desirable in an electronic access control mail box locker system of Kaarsoo et al. in view of Brous et al.

***Allowable Subject Matter***

Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Referring to claim 6, the following is a statement of reasons for the indication of allowable subject matter: the prior art fail to suggest limitations wherein said at least one locker control unit transmits a first pulse to energize said actuator and transmits a second pulse to determine the open or closed state of said corresponding locker door.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kakuta (US# 6,456,900) discloses a locker type merchandise delivering system.

Barrett et al. (US# 5,475,375) disclose an electronic access control systems.

Mardon (US# 5,231,272) discloses a storage system with adjacent lockers controlled by a microprocessor device.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
April 9, 2004



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